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ABSTRACT

This paper presents three lessons intended for an advanced placement comparative politics course at the high school level. The lessons include a slide show and a map study of both Bulgaria and Romania and uses documents to compare and contrast the constitutions of Bulgaria and Romania with that of the United States. The text of the slide show presentations is included, as are copies of the constitutions of the three nations. (EH)

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ED 410 164

Bulgaria and Romania: A Geo-Political Introduction

A Curriculum Unit

by

Mariann DeAngelis

SO 027 941

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Teaching Unit for Advanced Placement Comparative Politics

Lesson:
Bulgaria and Romania: a Geo-Political Introduction
Three sixty minute periods

Grade Level: High School
Advanced Placement Students (Comparative Politics)/
Honors Class in World Politics
Grade 12

Pre-requisites:
1. United States History (Colonial Period - Present)

2. The Government of the Former Soviet Union (the political institutions and ideologies of the former Soviet Union including the Communist's denial of civil rights and liberties, the use of a secret police and the violation of human rights)

Instructional Objectives:

To introduce the culture and geography of the Balkan Peninsula

To understand the political transition which is evolving in the two Balkan states of Bulgaria and Romania

To recognize and appreciate the new constitutional framework which has been officially established in both nations

To evaluate the struggle of these two post-totalitarian societies as they face the problems involved with restructuring and legitimizing their democratic institutions.

Skills Performance Objectives:

-Students will familiarize themselves with the geography of eastern Europe
-Students will be read, compare and contrast primary sources

Materials:

-Maps of Europe, Bulgaria and Romania
-Slide show materials/lecture notes
-Excerpts from the U. S., Bulgarian and Romanian constitutions

Homework Assignment:

In preparation for the lesson, students will have read the political history of Bulgaria and Romania through 1990.

Procedure: (Day One)

1. Hand out map of Bulgaria

2. Motivational Activity - Slide Show Presentation
   Allow time for questions and discussion after each slide is projected

Introduction: (Historical Notes) The nation that is today Bulgaria was once part of the Roman Empire. The actual birth date of the Bulgarian state is 681 CE when Bulgar tribes began to dominate over Slavs who had previously settled as farmers in the region. Christianity was adopted as the official religion in 865 under the first Bulgarian king, Tsar Boris I, and the region remained part of the Byzantine Empire from 1018 to 1185. After breaking from Byzantine rule, the second Bulgarian kingdom emerged in 1187, and its rulers expanded Bulgarian territory. The Ottoman Turks conquered in 1396 and would keep Bulgaria "under the yoke" until the Russians helped free them from Turkish dominance in 1878 (Russo-Turkish War). After the principality of Bulgaria became an independent state, there ensued a struggle between Russia and western European nations primarily Austria-Hungary over which would have the greater influence in the area. By the end of the 1880's, in deference to Austria-Hungary, the Bulgarian parliament put an Austrian on the throne as constitutional monarch. Russia, however, was a close friend to Bulgaria throughout the National Revival Period in the nineteenth century and remained a close trade partner until World War I after which the Austro-Hungarian monarch abdicated and the reign of King Boris III (1918-1943) began. This was certainly a factor that led to a strong alliance with the Soviet Union after 1945.

The present day borders of Bulgaria are the Black Sea, Romania, Serbia, Greece and Turkey. (see map)

Slide 1
The View from the Grand Hotel Sofia
Tsar Osvoboditel Boulevard in Sofia, the capital of Bulgaria (see map). In the center is the equestrian statue of Russian Tsar Alexander II. Across from the statue stands the National Assembly building and in the background the Alexander Nevsky Memorial Church.

Slide 2
Inside the National Assembly-the Bulgarian Parliament Built in 1884
Today Bulgaria is a multiparty parliamentary democracy.....

Slide 3
Frontal View of the Alexander Nevsky Memorial Church
A neo-Byzantine church built in the early twentieth century in memory of the Russian soldiers who died to free the Bulgarians from Turkish domination in the Russo-Turkish War (1870's) - Bulgaria had been under Ottoman Turkish rule since the fourteenth century.

Today about 85% of the Bulgarian population are Eastern Orthodox Christians. Approximated 14% are Muslims.

Slide 4
Rotonda of St. George
Built in the fourth century as a Roman temple. Over the centuries, it has served as a mosque and a church.

Slide 5
Prtiyniyat Dom Alexander Batenberg Square
Former headquarters of the Bulgarian Communist party
Many of the central squares in Sofia are paved with yellow bricks.....

Slide 6
Book Fair Along the Trolley Tracks (Sofia)
(McDonald's in the background)
Buses and trolleys are the inexpensive means of transportation around the city.

Slide 7
The Restoration of a Building Facade in Sofia
So much magnificent architecture throughout the city.....

Slide 8
Loft-type high-risers away from center
As one travels toward the outskirts of Sofia (and found throughout all cities in Bulgaria) there are cement block apartment buildings. Tenant-owners are from all classes on the socioeconomic scale.

Slide 9
The National Theater in Sofia
Bulgarians value the arts.....

Slide 10
Sofia University Founded in 1888
The Bulgarian population is highly literate. Education is a top priority for Bulgarian parents who will make major sacrifices to see that their children are educated through college.....

Slide 11
Gypsies with Dancing Bear
There are 300,000 gypsies living in Bulgaria
They think of themselves as Turks and either live in ghettos or camps. Most refuse to assimilate and they usually do not permit their children to attend school.

Slide 12
A Gypsy Camp

Slide 13
Farmers in the Bulgarian Countryside
After the breakup of the cooperative farms, agricultural production is lagging. Property has been restored to rightful owners and small farms mean less commercial agriculture. Today many food stuffs are imported.....

Slide 14
Old Town in Plovdiv
Second largest city after Sofia (see map). Old town section is magnificent treat- with many restored houses hanging over cobblestone streets. Many free standing houses have been turned into museums...

Bulgaria has many beautiful museum towns and villages and Plovdiv is just one of those we visited.

Slide 15
A Revival House Restored as a Museum in Old Town of Plovdiv
The town flourished during the national revival period of the nineteenth century.

Slide 16
Roman Marble Amphitheater (second century) in Old Town of Plovdiv
During the summers and early fall, concerts and operas are performed in this Roman Amphitheater.

Slide 17
English Language High School in New Section of Plovdiv
We met with the principal and teachers of this school. One member of group remarked that "they do so much with so little." This was so true for all the schools we visited.....

Slide 18
The American University in Blagoevgrad
This university used to be a headquarters for the Communist party in Bulgaria. It was taken over by Americans in 1991. Both American and Bulgarian students attend. Tuition is about $8,000 a year and Bulgarian students usually get work study programs, so they don't have to pay tuition.

Slide 19
The University Town of Blagoevgrad
The actual college town of Blagoevgrad (see map) is very charming with lots of trees, outdoor cafes with umbrellas.....had been a Communist showpiece.

Slide 20
Visiting Fulbrighters
This was our group in the Fulbright Seminar; there was representation from throughout the U. S.

Slide 21
Rila Monastery
There are over 120 monasteries in Bulgaria. Rila monastery tucked away in the magnificent Rila mountains is Bulgaria's largest and most famous. We attended an Eastern Orthodox service during our visit. And unbelievably, the monastery also serves as a "tourist retreat" with room fees ranging $6.50 a night.

Slide 22
A Roadside Village

Slide 23
A Village of Ten - Bozhentsi
One of Bulgaria's Museum Towns and Villages - town still stands as it was in the 1800's. The old town is depleted of its population. Houses are in the process of being converted into museums. Some of the houses are meeting places (societies) for Bulgarian artists and writers.

Slide 24
Varna - The Black Seacoast
The cities and town along the Black Seacoast (see map) have enormous potential for tourism.....

Slide 25
Cathedral in Center of Varna
Varna is Bulgaria's third largest city - the old town has an extensive site of Roman ruins. This slide shows the center of a rather bustling city with many open markets.

Slide 26
Golden Sands Resort - Authentic Folk Dance
Golden Sands is a resort town with lots of lovely and modern hotels.....

Slide 27
A Lecture Hall
A classroom lecture for visiting Fulbrighters. More typical arrangements were seminar sessions at long rectangular tables.

Slide 28
Women Construction Workers in the City Burgas
Burgas is a Seaport city on the south coast; quite a lovely city with large promenade and lots of cafes and boutiques.

Slide 29
Sunflower Fields
One of my favorite views from our tour bus.....

On July 14, with heavy hearts, we left Sofia and all the kind and friendly people we met in Bulgaria.

Day Two
1. Hand out Map of Romania
2. Motivational Activity - Slide Show
   Allow time for questions and discussion after each slide is shown

Introduction: (Historical Notes)
Romania was part of the Roman Empire from 100 to 275 C. E. During those years the inhabitants of the area (Geto-Dacians) were "Romanized" (the Romanian language is taken mostly from Latin). The Daco-Roman population that evolved would continue to inhabit the area until the present day along with many migratory peoples who came and settled in Romanian territory from the fourth to the thirteenth centuries. Romanians adopted Christianity in the fourth century and after the Great Schism in 1054 the Eastern Orthodox rite would become their official religion. Since the Middle Ages that Romanians have lived in three adjoining provinces: Wallachia, Moldavia and Transylvania.

At the end of the fourteenth century the Ottoman Turks came to dominate the area and would retain "suzerainty" over Romania until the nineteenth century. Romanians, however, retained their culture and a certain degree of political autonomy throughout these centuries. The eighteenth century and beginning of the nineteenth century was a period of National Revival in Romania. It is important to note that during this time Romanians broke away from many eastern traditions and begin to identify with the cultures of central and western Europe..... Although the Russo-Turkish War dismantled the Ottoman Empire and Romania was proclaimed an independent kingdom in 1881, much Romanian land was still under the foreign domination of the Hapsburgs and the Russians. It is only after World War I that the Romanian people were finally united within the borders of a truly independent nation state. The dream of Romanian people was short-lived however. During World War II came the influence and infiltration of the Soviets, and in the 1960's the Romanians fell victims under the notorious Ceaussescu whose regime would only be brought down by the violent revolution of 1989-1990

The present day borders of Romania are: the Black Sea, Moldova, Ukraine, Hungary Serbia and Bulgaria (see map)

Slide 30
Bucharest: Different Styles Side by Side
This is typical street scene in Bucharest the capital of Romania (See Map). Once Bucharest was known as the "Little Paris" of the Balkans because of its magnificent neo-classical architecture and wide boulevards. Today it is (according to some) a hodgepodge of styles. Ceaussescu's government demolished historic structures and at times entire neighborhoods at whim to build cement and concrete style skyscrapers.

Slide 31
Big is Beautiful
Another building to suite Ceaussescu's taste

Slide 32
Boulevard Unirli
Formerly called "Victory of Socialism Boulevard" leads to the Palace of the People

Slide 33
The People's House/Palace of the People
Still unfinished (Some Romanians call it "Ceaussescu's Folly"), this costly structure was built as a combination private palace and civic center. It is the second largest building in the world next to the Pentagon in Washington, D. C. Today it is being accommodated for the Parliament.

Romania was the only communist country which was overthrown by force in 1989-90. Today Romania is a multiparty democracy.

Slide 34
An Interior of the Palace

Slide 35
Piaţa Universitatii/University Plaza
This is where demonstrators battled against Ceaussescu's troops on December 21, 1989, and in the following spring students declared the square a Communist free zone. Thousands would gather here daily for meetings and demonstration until Iliescu's government violently intervened in June, 1990. The crosses commemorate those who were killed by Iliescu's troops.....

Slide 36
Piaţa Revolutiei/Revolutionary Square
This is the Palace of the Republic which survived Ceaussescu's bulldozer. It is now the National Art Museum. Opposite the palace (not shown) is the former headquarters of the Communist party.
Before the revolution in 1989, this square was restricted from the public.

Slide 37
Piaţa Revolutiei/Revolutionary Square
This cross commemorates all those who were killed in this square during the revolution. The bullet holes from the fighting are still apparent on the facades of some of the buildings.

Slides 38
A Busy Boulevard in Bucharest (McDonald's)
This might be a shot taken of any city in the U. S.

Slide 39
Crossing the Danube
The Danube River (see map) separates the nations of Bulgaria and Romania and there is but one bridge that connects the two countries.

Slide 40
Istria on the Black Sea
Founded in 6 B. C. E., Istria is a Hellenic colony discovered by archeologists in the twentieth century.....

Slide 41
Campers on the Black Sea
Reminded me of Heather Hills in Montauk on the southeast shore of Long Island, New York.

Slide 42
A Black Seacoast Town - Mangalia (see map).
There is big potential for tourism on the Black Seacoast in Romania.

Slide 43 and 44
Monasteries in the "Suceava" Region (see map)
We visited many very beautiful monasteries mostly built in the 1500's and 1600's. Note the exteriors are all hand painted Here a nun (eastern orthodox) is giving us a tour of one of the monasteries.

Slide 45
A Young Gypsy Girl
Gypsies move freely throughout Romania. According to the latest statistics, they comprise about 1.8% of the population (410,000).

Slide 46
A Cooperative Farm still in operation
Although farming is officially privatized, some villagers have kept their properties together in the hopes of establishing commercial enterprises.

Slide 47
Transylvania - the Region of Maramures
In this slide we had just driven through Prislop Pass in the Carpathian mountains (see map) and the bus stopped for a photo opportunity.

Slide 48
Village Home Near the Ukrainian Border

Slide 49
Village of Ieud
Picturesque village Near the Ukrainian Border.....

Slide 50
A Young Woman Called Anna
Anna was one of the villagers who greeted us as we passed through Ieud on our way to visit the village church and cemetery. She looked at me and asked where I was from and if I spoke Italian. We started conversing, she walked with me to the church and gave me a tour through the cemetery. We became best friends in a half hour.....

Slide 51
Historic Village - Sighirsoara
An absolutely delightful and authentic medieval town that we visited on the way to the city of Sibiu.

Slide 52
The City of Sibiu (see map)
In Sibiu, we attended the Lucian Blaga University for five days. The population of Romania is highly literate. Child rearing emphasizes sholarliness.

Slide 53
Nick and Mort
In Sibiu one evening after dinner Mort, another member of the group, and I were sitting in the village square contemplating our experience.....and along came Nick....who spoke perfect English.....

Slide 54
Priest in a Church in Sebiel
We visited many Eastern Orthodox Churches in Romania. The priest who welcomed us to this village church permitted the taking of photos.

Slide 55
Dinner at a Villager's House in Sebiel
One of many delicious dinners taken together. This evening we are guests in a villager's home.

Slide 56
Woman Sanitation Workers in Sibiu
Women gainfully employed in performing essential services.....

Slide 57
Heating Element
Each room had such a wood or coal burning heating element.....

Slide 58
Dracula's Castle/Bran Castle
An important national monument and most important for tourism because of the legend of Dracula.....

Slide 59
Arcul de Triumf
It's August 2, and we did not want to leave all our friends in Romania. This arch (near our Hotel Triumf) commemorates Romania's independence from Turkey in 1877.....

Day Three - Working with documents

In this lesson students will work in groups of three to contrast the Amendments to the United States Constitution, Chapters One and Two from the Constitution of the Republic of Bulgaria and Titles I and II from the Constitution of Romania

Background Notes for the Teacher:
The demise of the Soviet Union left the eastern European nations of Bulgaria and Romania on their own to struggle with the many sudden political, social and economic changes in their institutions. Today most Bulgarians and Romanians view the free market reforms of the early 1990's with suspicion. They are reluctant to support any further economic changes, as evidenced by the present Socialist majorities in both parliaments. Faced with a staggering decline in their standard of living, many Bulgarian and Romanian citizens are still clinging to the central command policies that continue to provide them with the benefits and security systems that they were accustomed to under Communism.

By contrast, although in its critical stages of development, political reform has met with guarded approval in both nations. After the first democratic elections were held in 1991, written constitutions were ratified in both countries, and both constitutions include sections which provide for citizens' fundamental rights and civil liberties.

Procedure:
1. IN PREPARATION FOR DAY THREE
Distribute excerpts from three constitutions along with questions for comparative analysis. TO BE DONE FOR HOMEWORK INDIVIDUALLY

The questions included with this lesson plan are guidelines meant to generate responses in preparation for group interaction.

Students should be encouraged to make up their own questions based on their knowledge of the United States Constitution and major Supreme Court decisions.

ON THE DAY OF THE LESSON:
2 Divide the class in groups of three to encourage brainstorming homework responses.
3. After THIRTY minutes, ask a member from each group to answer each question. After each response allow for discussion and evaluations from those in other groups.

The teacher should clarify, at some point during the discussion and evaluation period, that rights and liberties granted in writing in all three constitutions may at times be ignored in practice (as was often the case in the United States until the 1960's). Therefore, when conflicts arise over interpretation, protecting these rights and liberties is predicated on the fact that a judicial system is in place acting as a fair and legal arbiter. The Bulgarian and Romanian legal systems are not yet functioning as defenders of civil rights and civil liberties, but by stating these rights clearly and prominently in the first section of both their constitutions, it is obvious that the authors in both countries have established the important foundations for democratic protections.

Questions for Comparative Analysis

1. The first Amendment in the United States Constitution guarantees five freedoms. What are they, and can you find similar freedom guarantees in the Constitutions of Romania and Bulgaria? Identify the problems under British colonial rule and the Communist dictatorships which led to the formulation of these guarantees of Freedom.

2. According to the fourth amendment to the United States Constitution, under what circumstances can a search warrant be issued and what must the search warrant clearly specify? Can you find similar protections in the Constitutions of Romania and Bulgaria? What are the justifications from the history of these three nations for this protection of privacy guarantee?

3. Which amendments in the United States Constitution specifically deal with the rights of someone accused of a crime? Describe the rights of accused persons in the United States and find similar guarantees in the Bulgarians and Romanian Constitutions. Bring in justification arguments.....

4. Which amendments in the United States Constitution specifically deal with the rights of minorities. Describe the rights granted in these amendments and find similar guarantees in the Romanian and Bulgarian Constitutions.

5. Which amendments in the United States Constitutions address voting rights. Find similar guarantees in the Constitutions of Bulgaria and Romania. Discuss conditions which are necessary for true and honest elections?

6. Describe all the rights guaranteed in the fourteenth amendment to the United States Constitution. Find similar guarantees in the Bulgarian and Romanian Constitutions.

7. Find the rights and freedoms guaranteed in the Bulgarian and Romanian Constitutions that are not guaranteed to those living in the United States.

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AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Amendment I.*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

*The first ten Amendments (Bill of Rights) were ratified effective December 15, 1791.

Amendment IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Amendment VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Amendment VII.

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Amendment X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Amendment XI.*

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of

*The Eleventh Amendment was ratified February 7, 1795.

the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

Amendment XII.*

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President—-]* The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

*The Twelfth Amendment was ratified June 15, 1804.

Amendment XIII.**

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Amendment XIV.***

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges

*Superseded by section 3 of the Twentieth Amendment.

**The Thirteenth Amendment was ratified December 6, 1865.

***The Fourteenth Amendment was ratified July 9, 1868.

or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Amendment XV.*

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Amendment XVI.**

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

Amendment XVII.***

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors

*The Fifteenth Amendment was ratified February 3, 1870.
**The Sixteenth Amendment was ratified February 3, 1913.
***The Seventeenth Amendment was ratified April 8, 1913.

of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Amendment XVIII.*

[**Section 1.** After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]

*The Eighteenth Amendment was ratified January 16, 1919. It was repealed by the Twenty-First Amendment, December 5, 1933.

Amendment XIX.*

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

Amendment XX.**

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such per-

*The Nineteenth Amendment was ratified August 18, 1920.

**The Twentieth Amendment was ratified January 23, 1933.

son shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Amendment XXI.*

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

*The Twenty-First Amendment was ratified December 5, 1933.

Amendment XXII*

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

Amendment XXIII.**

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the

*The Twenty-Second Amendment was ratified February 27, 1951.

**The Twenty-Third Amendment was ratified March 29, 1961.

States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXIV.*

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXV.**

Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

*The Twenty-Fourth Amendment was ratified January 23, 1964.

**The Twenty-Fifth Amendment was ratified February 10, 1967.

Amendment XXVI*

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Amendment XXVII**

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

*The Twenty-Sixth Amendment was ratified July 1, 1971.

**Congress submitted the text of the Twenty-Seventh Amendment to the States as part of the proposed Bill of Rights on September 25, 1789. The Amendment was not ratified together with the first ten Amendments, which became effective on December 15, 1791. The Twenty-Seventh Amendment was ratified on May 7, 1992, by the vote of Michigan.

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REPUBLIC OF BULGARIA
GRAND NATIONAL ASSEMBLY

CONSTITUTION
OF
THE REPUBLIC OF BULGARIA

Promulgated State Gazette No 56/13.07.1991

We, the Members of the Seventh Grand National Assembly, guided by our desire to express the will of the people of Bulgaria,

by pledging our loyalty to the universal human values of liberty, peace, humanism, equality, justice and tolerance;

by holding as the highest principle the rights, dignity and security of the individual;

in awareness of our irrevocable duty to guard the national and state integrity of Bulgaria,

hereby promulgate our resolve to create a democratic, law-governed and social state,

by establishing this

CONSTITUTION

Chapter One

FUNDAMENTAL PRINCIPLES

Article 1

(1) Bulgaria shall be a republic with a parliamentary form of government.

(2) The entire power of the state shall derive from the people. The people shall exercise this power directly and through the bodies established by this Constitution.

(3) No part of the people, no political party nor any other organization, state institution or individual shall usurp the expression of the popular sovereignty.

Article 2

(1) The Republic of Bulgaria shall be an integral state with local self-government. No autonomous territorial formations shall exist.

(2) The territorial integrity of the Republic of Bulgaria shall be inviolable.

Article 3

Bulgarian shall be the official language of the Republic.

Article 4

(1) The Republic of Bulgaria shall be a law-governed state. It shall be governed by the Constitution and the laws of the country.

(2) The Republic of Bulgaria shall guarantee the life, dignity and rights of the individual and shall create conditions conducive to the free development of the individual and of civil society.

Article 5

(1) The Constitution shall be the supreme law, and no other law shall contravene it.

(2) The provisions of the Constitution shall apply directly.

(3) No one shall be convicted for action or inaction which at the time it was committed, did not constitute a crime.

(4) Any international instruments which have been ratified by the constitutionally established procedure, promulgated and having come into force with respect to the Republic of Bulgaria, shall be considered part of the domestic legislation of the country. They shall supersede any domestic legislation stipulating otherwise.

(5) All legislative acts shall be promulgated and shall come into force three days after the date of their promulgation unless otherwise envisaged by the acts themselves.

Article 6

(1) All persons are born free and equal in dignity and rights.

(2) All citizens shall be equal before the law. There shall be no privileges or restriction of rights on the grounds of race, nationality, ethnic self-identity, sex, origin, religion, education, opinion, political affiliation, personal or social status or property status.

Article 7

The state shall be held liable for any damages caused by illegitimate rulings or acts on the part of its agencies and officials.

Article 8

The power of the state shall be divided between legislative, executive and judicial branches.

Article 9

The armed forces shall guarantee the sovereignty, security and independence of the country and shall defend its territorial integrity.

Article 10

All elections, and national and local referendums shall be held on the basis of universal, equal and direct suffrage by secret ballot.

Article 11

(1) Politics in the Republic of Bulgaria shall be founded on the principle of political plurality.

(2) No political party or ideology shall be proclaimed or affirmed as a party or ideology of the state.

(3) All parties shall facilitate the formation and expression of the citizens' political will. The procedure applying to the formation and dissolution of political parties and the conditions pertaining to their activity shall be established by law.

(4) There shall be no political parties on ethnic, racial or religious lines, nor parties which seek the violent seizure of state power.

Article 12

(1) Associations of citizens shall serve to meet and safeguard their interests.

(2) Citizens' associations, including trade unions, shall not pursue any political objectives, nor shall they engage in any political activity which is in the domain of the political parties.

Article 13

(1) The practicing of any religion shall be unrestricted.

(2) Religious institutions shall be separate from the state.

(3) Eastern Orthodox Christianity shall be considered the traditional religion in the Republic of Bulgaria.

(4) Religious institutions and communities, and religious beliefs shall not be used to political ends.

Article 14

The family, motherhood and children shall enjoy the protection of the state and society.

Article 15

The Republic of Bulgaria shall ensure the protection and reproduction of the environment, the conservation of living Nature in all its variety, and the sensible utilization of the country's natural and other resources.

Article 16

Labour shall be guaranteed and protected by law.

Article 17

(1) The right to property and inheritance shall be guaranteed and protected by law.

(2) Property shall be private and public.

(3) Private property shall be inviolable.

(4) The regime applying to the different units of state and municipal property shall be established by law.

(5) Forcible expropriation of property in the name of state or municipal needs shall be effected only by virtue of a law, provided that these needs cannot be otherwise met, and after fair compensation has been ensured in advance.

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Article 18

(1) The state shall enjoy exclusive ownership rights over the underground resources; beaches and national thoroughfares, as well as over waters, forests and parks of national importance, and the natural and archaeological reserves established by law.

(2) The state shall exercise sovereign rights in prospecting, developing, utilizing, protecting and managing the continental shelf and the exclusive off-shore economic zone, and the biological, mineral and energy resources therein.

(3) The state shall exercise sovereign rights with respect to radio frequencies and the geostationary orbital positions assigned by international instruments to the Republic of Bulgaria.

(4) A state monopoly shall be establishable by law over railway transport, the national postal and telecommunications networks, the use of nuclear energy, the manufacturing of radioactive products, armaments and explosive and powerful toxic substances.

(5) The conditions and procedure by which the state shall grant concessions over units of property and licences for the activities enumerated in the preceding two paragraphs shall be established by law.

(6) The state shall utilize and manage all the state's assets to the benefit of citizens and society.

Article 19

(1) The economy of the Republic of Bulgaria shall be based on free economic initiative.

(2) The state shall establish and guarantee equal legal conditions for economic activity to all citizens and corporate entities by preventing any abuse of a monopoly status and unfair competition, and by protecting the consumer.

(3) All investments and economic activity by Bulgarian and foreign persons and corporate entities shall enjoy the protection of the law.

(4) The law shall establish conditions conducive to the setting up of cooperatives and other forms of association of citizens and corporate entities in the pursuit of economic and social prosperity.

Article 20

The state shall establish conditions conducive to the balanced development of the different regions of the country, and shall assist the territorial bodies and activities through its fiscal, credit and investment policies.

Article 21

(1) Land, as a chief national asset, shall enjoy particular protection on the part of the state and society.

(2) Arable land shall be used for agricultural purposes only. Any change in purposes shall be allowed only in exceptional circumstances, when necessity has been proven, and on terms and by a procedure established by a law.

Article 22

(1) No foreign physical person or foreign juridical person shall acquire ownership over land, except through legal inheritance. Ownership thus acquired shall be duly transferred.

(2) A foreign physical person or foreign juridical person shall be free to acquire user rights, building rights and other real rights on terms established by law.

Article 23

The state shall establish conditions conducive to the free development of science, education and the arts, and shall assist that development. It shall organize the conservation of all national monuments of history and culture.

Article 24

(1) The Republic of Bulgaria shall conduct its foreign policy in accordance with the principles and norms of international law.

(2) The foreign policy of the Republic of Bulgaria shall have as its highest objective the national security and independence of the country, the well-being and the fundamental rights and freedoms of the Bulgarian citizens, and the promotion of a just international order.

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Chapter Two

FUNDAMENTAL RIGHTS AND OBLIGATIONS OF CITIZENS

Article 25

(1) A Bulgarian citizen shall be anyone born of at least one parent holding a Bulgarian citizenship, or born on the territory of the Republic of Bulgaria, should he not be entitled to any other citizenship by virtue of origin. Bulgarian citizenship shall further be acquirable through naturalization.

(2) A person of Bulgarian origin shall acquire Bulgarian citizenship through a facilitated procedure.

(3) No one shall be deprived of Bulgarian citizenship acquired by birth.

(4) No citizen of the Republic of Bulgaria shall be expatriated, or extradited to another state.

(5) Any Bulgarian citizen abroad shall be accorded the protection of the Republic of Bulgaria.

(6) The conditions and procedure for the acquiring, preservation or loss of Bulgarian citizenship shall be established by law.

Article 26

(1) Irrespective of where they are, all citizens of the Republic of Bulgaria shall be vested with all rights and obligations proceeding from this Constitution.

(2) Foreigners residing in the Republic of Bulgaria shall be vested with all rights and obligations proceeding from this Constitution, except those rights and obligations for which Bulgarian citizenship is required by this Constitution or by another law.

Article 27

(1) Foreigners residing legally in the country shall not be expelled or extradited to another state against their will, except in accordance with the provisions and the procedures established by law.

(2) The Republic of Bulgaria shall grant asylum to foreigners persecuted for their opinions or activity in the defence of internationally recognized rights and freedoms.

(3) The conditions and procedure for the granting of asylum shall be established by law.

Article 28

Everyone shall have the right to life. Any attempt upon a human life shall be punished as a most severe crime.

Article 29

(1) No one shall be subjected to torture or to cruel, inhuman or degrading treatment, or to forcible assimilation.

(2) No one shall be subjected to medical, scientific or other experimentation without his voluntary written consent.

Article 30

(1) Everyone shall be entitled to personal freedom and inviolability.

(2) No one shall be detained or subjected to inspection, search or any other infringement of his personal inviolability except on the conditions and in a manner established by law.

(3) The state authorities shall be free to detain a citizen only in the urgent circumstances expressly stipulated by law, and shall immediately advise the judicial authorities accordingly. The judicial authorities shall rule on the legality of a detention within the next 24 hours.

(4) Everyone shall be entitled to legal counsel from the moment of detention or from the moment of being charged.

(5) Everyone shall be entitled to meet his legal counsel in private. The confidentiality of such communication shall be inviolable.

Article 31

(1) Anyone charged with a crime shall be brought before a court within the time established by law.

(2) No one shall be forced to plead guilty, and no one shall be convicted solely by virtue of confession.

(3) A defendant shall be considered innocent until proven otherwise by a final verdict.

(4) The rights of a defendant shall not be restricted beyond what is necessary for the purposes of a fair trial.

(5) Prisoners shall be kept in conditions conducive to the exercise of those of their fundamental rights which are not restricted by virtue of their sentence.

(6) Prison sentences shall be served only at the facilities established by law.

(7) There shall be no limitation to the prosecution and the execution of a sentence for crimes against peace and humanity.

Article 32

1) The privacy of citizens shall be inviolable. Everyone shall be entitled to protection against any illegal interference in his private or family affairs and against encroachments on his honour, dignity and reputation.

(2) No one shall be followed, photographed, filmed, recorded or subjected to any other similar activity without his knowledge or despite his express disapproval, except when such actions are permitted by law.

Article 33

(1) The home shall be inviolable. No one shall enter or stay inside a home without its occupant's consent, except in the cases expressly stipulated by law.

(2) Entry or stay inside a home without the consent of its occupant or without the judicial authorities' permission shall be allowed only for the purposes of preventing an immediately impending crime or a crime in progress, for the capture of a criminal, or in extreme necessity.

Article 34

(1) The freedom and confidentiality of correspondence and all other communications shall be inviolable.

(2) Exceptions to this provision shall be allowed only with the permission of the judicial authorities for the purpose of discovering or preventing a grave crime.

Article 35

(1) Everyone shall be free to choose a place of residence and shall have the right to freedom of movement in the territory of the country and to leave the country. This right shall be restricted only by virtue of law in the name of national security, public health, and the rights and freedoms of other citizens.

(2) Every Bulgarian citizen shall have the right to return to the country.

Article 36

(1) The study and use of the Bulgarian language shall be a right and an obligation of every Bulgarian citizen.

(2) Citizens whose mother tongue is not Bulgarian shall have the right to study and use their own language alongside the compulsory study of the Bulgarian language.

(3) The situations in which only the official language shall be used shall be established by law.

Article 37

(1) The freedom of conscience, the freedom of thought and the choice of religion and of religious or atheistic views shall be inviolable. The state shall assist the maintenance of tolerance and respect among the believers from different denominations, and among believers and non-believers.

(2) The freedom of conscience and religion shall not be practised to the detriment of national security, public order, public health and morals, or of the rights and freedoms of others.

Article 38

No one shall be persecuted or restricted in his rights because of his views, nor shall be obligated or forced to provide information about his own or another person's views.

Article 39

(1) Everyone shall be entitled to express an opinion or to publicize it through words, written or oral, sound or image, or in any other way.

(2) This right shall not be used to the detriment of the rights and reputation of others, or for the incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of enmity or violence against anyone.

Article 40

(1) The press and the other mass information media shall be free and shall not be subjected to censorship.

(2) An injunction on or a confiscation of printed matter or another information medium shall be allowed only through an act of the judicial authorities in the case of an encroachment on public decency or incitement of a forcible change of the constitutionally established order, the perpetration of a crime, or the incitement of violence against anyone. An injunction suspension shall lose force if not followed by a confiscation within 24 hours.

Article 41

(1) Everyone shall be entitled to seek, obtain and disseminate information. This right shall not be exercised to the detriment of the rights and reputation of others, or to the detriment of national security, public order, public health and morality.

(2) Citizens shall be entitled to obtain information from state bodies and agencies on any matter of legitimate interest to them which is not a state or official secret and does not affect the rights of others.

Article 42

(1) Every citizen above the age of 18, with the exception of those placed under judicial interdiction or serving a prison sentence, shall be free to elect state and local authorities and vote in referendums.

(2) The organization and procedure for the holding of elections and referendums shall be established by law.

Article 43

(1) Citizens shall have the right to peaceful and unarmed assembly for meetings and demonstrations.

(2) The procedure for the organizing and holding of meetings and demonstrations shall be established by law.

(3) No notice to the municipal authorities shall be required for meetings held indoors.

Article 44

(1) Citizens shall be free to associate.

(2) No organization shall act to the detriment of the country's sovereignty and national integrity, or the unity of the nation, nor shall it incite racial, national, ethnic or religious enmity or an encroachment on the rights and freedoms of citizens; no organization shall establish clandestine or paramilitary structures or shall seek to attain its aims through violence.

(3) The law shall establish which organizations shall be subject to registration, the procedure for their termination, and their relationships with the state.

Article 45

Citizens shall have the right to lodge complaints, proposals and petitions with the state authorities.

Article 46

(1) Matrimony shall be a free union between a man and a woman. Only a civil marriage shall be legal.

(2) Spouses shall have equal rights and obligations in matrimony and the family.

(3) The form of a marriage, the conditions and procedure for its conclusion and termination, and all private and material relations between the spouses shall be established by law.

Article 47

(1) The raising and upbringing of children until they come of legal age shall be a right and obligation of their parents and shall be assisted by the state.

(2) Mothers shall be the object of special protection on the part of the state and shall be guaranteed prenatal and postnatal leave, free obstetric care, alleviated working conditions and other social assistance.

(3) Children born out of wedlock shall enjoy equal rights with those born in wedlock.

(4) Abandoned children shall enjoy the protection of the state and society.

(5) The conditions and procedure for the restriction or suspension of parental rights shall be established by law.

Article 48

(1) Citizens shall have the right to work. The state shall take care to provide conditions for the exercising of this right.

(2) The state shall create conditions conducive to the exercising of the right to work by the physically or mentally handicapped.

(3) Everyone shall be free to choose an occupation and place of work.

(4) No one shall be compelled to do forced labour.

(5) Workers and employees shall be entitled to healthy and non-hazardous working conditions, to guaranteed minimum pay and remuneration for the actual work performed, and to rest and leave, in accordance with conditions and procedures established by law.

Article 49

(1) Workers and employees shall be free to form trade union organizations and alliances in defence of their interests related to work and social security.

(2) Employers shall be free to associate in defence of their economic interests.

Article 50

Workers and employees shall have the right to strike in defence of their collective economic and social interests. This right shall be exercised in accordance with conditions and procedures established by law.

Article 51

(1) Citizens shall have the right to social security and welfare aid.

(2) The state shall provide social security for the temporarily unemployed in accordance with conditions and procedures established by law.

(3) The aged without relatives and unable to support themselves, as well as invalids and the socially weak shall receive special protection from the state and society.

Article 52

(1) Citizens shall have the right to medical insurance guaranteeing them affordable medical care, and to free medical care in accordance with conditions and procedures established by law.

(2) Citizens' medical care shall be financed from the state budget, by employers, through private and collective health-insurance schemes, and from other sources in accordance with conditions and procedures established by law.

(3) The state shall protect the health of citizens and shall promote the development of sports and tourism.

(4) No one shall be subjected to forcible medical treatment or sanitary measures except in circumstances established by law.

(5) The state shall exercise control over all medical facilities and over the production and trade in pharmaceuticals, biologically active substances and medical equipment.

Article 53

(1) Everyone shall have the right to education.

2) School attendance up to the age of 16 shall be compulsory.

3) Primary and secondary education in state and municipal schools shall be free. In circumstances established by law, the higher educational establishments shall provide education free of charge.

(4) Higher educational establishments shall enjoy academic autonomy.

(5) Citizens and organizations shall be free to found schools in accordance with conditions and procedures established by law. The education they provide shall fit the requirements of the state.

(6) The state shall promote education by opening and financing schools, by supporting capable school and university students, and by providing opportunities for occupational training and retraining. It shall exercise control over all kinds and levels of schooling.

Article 54

(1) Everyone shall have the right to avail himself of the national and universal human cultural values and to develop his own culture in accordance with his ethnic self-identification, which shall be recognized and guaranteed by the law.

(2) Artistic, scientific and technological creativity shall be recognized and guaranteed by the law.

(3) The state shall protect all inventors' rights, copyrights and related rights.

Article 55

Citizens shall have the right to a healthy and favorable environment corresponding to established standards and norms. They shall protect the environment.

Article 56

Everyone shall have the right to legal defence whenever his rights or legitimate interests are violated or endangered. He shall have the right to be accompanied by legal counsel when appearing before an agency of the state.

Article 57

(1) The fundamental civil rights shall be irrevocable.

(2) Rights shall not be abused, nor shall they be exercised to the detriment of the rights or the legitimate interests of others.

(3) Following a proclamation of war, martial law or a state of emergency the exercise of individual civil rights may be temporarily curtailed by law, except for the rights established by Article 26, Article 29, Article 31 pars 1, 2 and 3, Article 32 para 1, and Article 37.

Article 58

(1) Citizens shall observe and implement the Constitution and the laws. They shall respect the rights and the legitimate interests of others.

(2) Obligations established by the Constitution and the law shall not be defaulted upon on grounds of religious or other convictions.

Article 59

(1) To defend the country shall be a duty and a matter of honour of every Bulgarian citizen. High treason and betrayal of the country shall be treated as crimes of utmost gravity and shall be punished with all the severity of the law.

(2) The carrying out of military obligations, and the conditions and procedure for exemption therefrom or for replacing them with alternative service shall be established by law.

Article 60

(1) Citizens shall pay taxes and duties established by law proportionately to their income and property.

(2) Any tax concession or surtax shall be established by law.

Article 61

Citizens shall assist the state and society in the case of a natural or other disaster, on conditions and in a manner established by law.

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THE CONSTITUTION OF ROMANIA*

TITLE I

General principles

ARTICLE 1

(1) Romania is a sovereign, independent, unitary and indivisible National State.

(2) The form of government of the Romanian State is a Republic.

(3) Romania is a democratic and social State governed by the rule of law, in which human dignity, the citizens' rights and freedoms, the free development of human personality, justice and political pluralism represent supreme values and shall be guaranteed.

ARTICLE 2

(1) National sovereignty resides with the Romanian people, who shall exercise it through its representative bodies and by referendum.

(2) No group or person may exercise sovereignty in one's own name.

ARTICLE 3

(1) The territory of Romania is inalienable.

(2) The frontiers of the Country are sanctioned by an organic law, under observance of the principles and other generally recognized regulations of international law.

(3) The territory is organized administratively into communes, towns and counties. Some towns are declared municipalities, according to the provisions of the law.

(4) No foreign populations may be displaced or colonized in the territory of the Romanian State.

ARTICLE 4

(1) The State foundation is laid on the unity of the Romanian people.

(2) Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin.

ARTICLE 5

(1) Romanian citizenship can be acquired, retained or lost as provided for by the organic law.

(2) Romanian citizenship cannot be withdrawn if acquired by birth.

ARTICLE 6

(1) The State recognizes and guarantees the right of persons belonging to national minorities, to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity.

(2) The protecting measures taken by the Romanian State for the preservation, development and expression of identity of the persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to the other Romanian citizens.

ARTICLE 7

The State shall support the strengthening of links with the Romanians living abroad and shall act accordingly for the preservation, development and expression of their ethnic, cultural, linguistic and religious identity, under observance of the legislation of the State of which they are citizens.

ARTICLE 8

(1) Pluralism in the Romanian society is a condition and guarantee of Constitutional democracy.

(2) Political parties may be constituted and pursue their activities in accordance with the law. They contribute to the definition and expression of the political will of the citizens, while observing national sovereignty, territorial integrity, the legal order and the principles of democracy.

ARTICLE 9

Trade unions may be constituted and pursue their activities in accordance with their own statutes, as provided by law. They contribute to the defence of the rights and promotion of the professional, economic and social interests of the employees.

ARTICLE 10

Romania fosters and develops peaceful relations with all the states, and in this context, good neighbourly relations, based on the principles and other generally recognized provisions of international law.

ARTICLE 11

(1) The Romanian State pledges to fulfil as such and in good faith its obligations as deriving from the treaties it is a party to.

(2) Treaties ratified by Parliament, according to the law, are part of national law.

ARTICLE 12

(1) The flag of Romania is tricolour; the colours are arranged vertically in the following order from the flagpole: blue, yellow and red.

(2) The National Day of Romania is the 1st of December.

(3) The national anthem of Romania is „Awake, Romanians".

(4) The country's coat of arms and the seal shall be established by organic laws.

ARTICLE 13

In Romania, the official language is Romanian.

ARTICLE 14

The Capital of Romania is the Municipality of Bucureşti.

TITLE II

Fundamental rights, freedoms and duties

CHAPTER I

General provisions

ARTICLE 15

(1) All citizens enjoy the rights and freedoms granted to them by the Constitution and other laws, and have the duties laid down thereby.

(2) The law acts only for the future, with the exception of the more favourable penal law.

ARTICLE 16

(1) Citizens are equal before the law and public authorities, without any privilege or discrimination.

(2) No one is above the law.

(3) Access to a public office or dignity, civil or military, is granted to persons whose citizenship is only and exclusively Romanian, and whose domicile is in Romania.

ARTICLE 17

Romanian citizens while abroad shall enjoy the protection of the Romanian State and shall be bound to fulfil their duties, with the exception of those incompatible with their absence from the country.

* The Constitution of Romania was adopted in the Constituent Assembly Session of November 21, 1991, and it has entered into force pursuant to its approval by the national referendum of December 8, 1991. The text of the Constitution was published in the „Monitorul Oficial" (Official Gazette of Romania), Part I, No. 233/November 21, 1991.

ARTICLE 18

(1) Aliens and stateless persons living in Romania shall enjoy general protection of persons and assets, as guaranteed by the Constitution and other laws.

(2) The right of asylum shall be granted and withdrawn under the provisions of the law, in compliance with the international treaties and covenants Romania is a party to.

ARTICLE 19

(1) No Romanian citizen may be extradited or expelled from Romania.

(2) Aliens and stateless persons may be extradited only in compliance with an international covenant or in terms of reciprocity.

(3) Expulsion or extradition shall be ruled by the Court.

ARTICLE 20

(1) Constitutional provisions concerning the citizens' rights and liberties shall be interpreted and enforced in conformity with the Universal Declaration of Human Rights, with the covenants and other treaties Romania is a party to.

(2) Where any inconsistencies exist between the covenants and treaties on fundamental human rights Romania is a party to, and internal laws, the international regulations shall take precedence.

ARTICLE 21

(1) Every person is entitled to bring cases before the courts for the defence of his legitimate rights, liberties and interests.

(2) The exercise of this right may not be restricted by any law.

CHAPTER II

Fundamental rights and freedoms

ARTICLE 22

(1) The right to life, as well as the right to physical and mental integrity of person are guaranteed.

(2) No one may be subjected to torture or to any kind of inhuman or degrading punishment or treatment.

(3) The death penalty is prohibited.

ARTICLE 23

(1) Individual freedom and security of person are inviolable.

(2) Search, detainment or arrest of a person shall be permitted only in the cases and under the procedure provided by law.

(3) Detention may not exceed twenty-four hours.

(4) Arrest shall be made under a warrant issued by a magistrate, for a maximum period of thirty days. The person arrested may lodge a complaint to the court about the legality of the warrant, and its Judge is bound to make a pronouncement by a motivated decision. The period of arrest may be extended only by a decision of the court.

(5) Any person detained or arrested shall be promptly informed, in a language he understands, of the grounds for his detention or arrest, and notified of the charges against him, as soon as practicable; the notification of the charges shall be made only in the presence of a lawyer of his own choosing or appointed *ex officio*.

(6) The release of the person detained or arrested shall be obligatory, if the grounds for his detention or arrest ceased to exist.

(7) A person under preventive custody shall have the right to apply for provisional release, under judicial control or on bail.

(8) Any person shall be presumed innocent till found guilty by a final decision of the court.

(9) Penalties can be established or applied only in accordance with and on the grounds of the law.

ARTICLE 24

(1) The right to defence is guaranteed.

(2) All throughout the trial, the parties shall have the right to be assisted by a lawyer of their own choosing or appointed *ex officio*.

ARTICLE 25

(1) The right of free movement within the national territory and abroad is guaranteed. The law shall lay down the conditions for the exercise of this right.

(2) Every citizen is guaranteed the right to establish his domicile or residence anywhere in the country, to emigrate, and to return to his country.

ARTICLE 26

(1) The public authorities shall respect and protect the intimate, family and private life.

(2) Any natural person has the right to freely dispose of himself unless by this he causes an infringement upon the rights and freedoms of others, on public order or morals.

ARTICLE 27

(1) The domicile and the residence are inviolable. No one may enter or remain in the domicile or residence of a person without consent.

(2) Derogation from provisions under paragraph (1) is permissible by law, in the following circumstances:

a) for carrying into execution a warrant for arrest or a court sentence;

b) to remove any danger against the life, physical integrity or assets of a person;

c) to defend national security or public order;

d) to prevent the spread of an epidemic.

(3) Searches may be ordered only by a magistrate and carried out exclusively under observance of the legal procedure.

(4) Searches at night time shall be prohibited, except in cases of *flagrante delicto*.

ARTICLE 28

Secrecy of the letters, telegrams and other postal communications, of telephone conversations and of any other legal means of communication is inviolable.

ARTICLE 29

(1) Freedom of thought, opinion, and religious beliefs may not be restricted in any fonn whatsoever. No one may be compelled to embrace an opinion or religion contrary to his own convictions.

(2) Freedom of conscience is guaranteed; it must be manifested in a spirit of tolerance and mutual respect.

(3) All religions shall be free and organized in accordance with their own statutes, under the tenns laid down by law.

(4) Any forms, means, acts or actions of religious enmity shall be prohibited in the relationships among the cults.

(5) Religious cults shall be autonomous from the State and shall enjoy support from it, including the facilitation of religious assistance in the army, in hospitals, prisons, homes and orphanages.

(6) Parents or legal tutors have the right to ensure, in accordance with their own convictions, the education of the minor children whose responsibility devolves on them.

ARTICLE 30

(1) Freedom of expression of thoughts, opinions, or beliefs, and freedom of any creation, by words, in writing, in pictures, by sounds or other means of communication in public are inviolable.

(2) Any censorship shall be prohibited.

(3) Freedom of the press also involves the free setting up of publications.

(4) No publication may be suppressed.

(5) The law may impose upon the mass media the obligation to make public their financing source.

(6) Freedom of expression shall not be prejudicial to the dignity, honour, privacy of person, and the right to one's own image.

(7) Any defamation of the country and the nation, any instigation to a war of aggression, to national,

racial, class or religious hatred, any incitement to discrimination, territorial separatism, or public violence, as well as any obscene conduct contrary to morality shall be prohibited by law.

(8) Civil liability for any information or creation made public falls upon the publisher or producer, the author, the producer of the artistic performance, the owner of the copying facilities, radio or television station, under the terms laid down by law. Indictable offences of the press shall be established by law.

ARTICLE 31

(1) A person's right of access to any information of public interest cannot be restricted.

(2) The public authorities, according to their competence, shall be bound to provide for correct information of the citizens in public affairs and matters of personal interest.

(3) The right to information shall not be prejudicial to the protection of the young or to national security.

(4) Public and private media shall be bound to provide correct information to the public opinion.

(5) Public radio and television services shall be autonomous. They must guarantee for any important social and political group the exercise of the right to be on the air. The organization of these services and the Parliamentary control over their activity shall be regulated by an organic law.

ARTICLE 32

(1) The right to education is provided for by the compulsory general education, by education in high schools and vocational schools, by higher education, as well as other forms of instruction and post-graduate refresher courses.

(2) Education of all grades shall be in Romanian. Education may also be conducted in a foreign language of international use, under the terms laid down by law.

(3) The right of persons belonging to national minorities to learn their mother tongue, and their right to be educated in this language are guaranteed; the ways to exercise these rights shall be regulated by law.

(4) Public education shall be free, according to the

(5) Educational establishments, including private institutions shall be set up and conduct their activity according to the provisions of the law.

(6) The autonomy of the Universities is guaranteed.

(7) The State shall ensure the freedom of religious education, in accordance with the specific requirements of each religious cult. In public schools, religious education is organized and guaranteed by law.

ARTICLE 33

(1) The right to the protection of health is guaranteed.

(2) The State shall be bound to take measures to ensure public hygiene and health.

(3) The organization of the medical care and social security system in case of sickness, accidents, maternity and recovery, the control over the exercise of medical professions and paramedical activities, as well as other measures to protect physical and mental health of person shall be established according to the law.

ARTICLE 34

(1) Every citizen having attained the age of eighteen by or on the election day shall have the right to vote.

(2) Mentally deficient or alienated, laid under interdiction, as well as persons disenfranchised by a final decision of the court cannot vote.

ARTICLE 35

(1) Eligibility is granted to all citizens having the right to vote, who meet the requirements in Article 16 paragraph (3), unless they are forbidden to join a political party, in accordance with Article 37 paragraph (3).

(2) Candidates must have attained, by or on the election day, the age of at least twenty-three, to be elected to the Chamber of Deputies or local administration, and at least thirty-five, to be elected to the Senate or to the office of President of Romania.

ARTICLE 36

Public meetings, processions, demonstrations or any other assembly shall be free and may be organized and held only peacefully, without arms of any kind whatsoever.

ARTICLE 37

(1) Citizens may freely associate into political parties, trade unions and other forms of association.

(2) Any political parties or organizations which, by their aims or activity, militate against political pluralism, the principles of a State governed by the rule of law, or against the sovereignty, integrity or independence of Romania shall be unconstitutional.

(3) Judges of the Constitutional Court, the advocates of the people, magistrates, active members of the Armed Forces, policemen and other categories of civil servants, established by an organic law, may not join political parties.

(4) Secret associations are prohibited.

ARTICLE 38

(1) The right to work cannot be restricted. Everyone has the free choice of profession and workplace.

(2) All employees have the right to social protection of labour. The protecting measures concern safety and hygiene of work, working conditions for women and the young, the setting up of a minimum wage per economy, weekends, paid annual holiday, work carried out under hard conditions, as well as other specific situations.

(3) The normal duration of a working day is of maximum eight hours, on the average.

(4) On equal work with men, women shall get equal wages.

(5) The right to collective labour bargaining and the binding force of collective agreements shall be guaranteed.

ARTICLE 39

(1) Forced labour is prohibited.

(2) Forced labour does not include:

a) any service of a military character or activities performed in lieu thereof by those who, according to the law, are exempted from compulsory military service for conscientious objection;

b) the work of a sentenced person, carried out under normal conditions, during detention or conditional release;

c) any services required to deal with a calamity or any other danger, as well as those which are part of normal civil obligations as established by law.

ARTICLE 40

(1) The employees have the right to strike in the defence of their professional, economic and social interests.

(2) The law shall regulate the conditions and limits governing the exercise of this right, as well as the guarantees necessary to ensure the essential services for the society.

ARTICLE 41

(1) The right of property, as well as the debts incurring on the State are guaranteed. The content and limitations of these rights shall be established by law.

(2) Private property shall be equally protected by law, irrespective of its owner. Aliens and stateless persons may not acquire the right of property on land.

(3) No one may be expropriated, except on grounds of public utility, established according to the law, against just compensation paid in advance.

(4) For projects of general interest, the public authorities are entitled to use the subsoil of any real estate with the obligation to pay compensation to its owner for the damages caused to the soil, plantations or buildings, as well as for other damages imputable to these authorities.

(5) Compensations provided under paragraphs (3) and (4) shall be agreed upon with the owner, or by the decision of the court when a settlement cannot be reached.

(6) The right of property compels to the observance of duties relating to environmental protection and ensurance of neighbourliness, as well as of other duties

incumbent upon the owner, in accordance with the law or custom.

(7) Legally acquired assets may not be confiscated. Legality of acquirement shall be presumed.

(8) Any goods intended for, used or resulting from a criminal or minor offence may be confiscated only in accordance with the provisions of the law.

ARTICLE 42

The right of inheritance is guaranteed.

ARTICLE 43

(1) The State shall be bound to take measures of economic development and social protection, of a nature to ensure a decent living standard for its citizens.

(2) Citizens have the right to pensions, paid maternity leave, medical care in public health establishments, unemployment benefits, and other forms of social care, as provided by law.

ARTICLE 44

(1) The Family is founded on the freely consented marriage of the spouses, their full equality, as well as the right and duty of the parents to ensure the upbringing, education and instruction of their children.

(2) The terms for entering into marriage, dissolution and nullity of marriage, shall be established by law. Religious wedding may be celebrated only after civil marriage.

(3) Children born out of wedlock are equal before the law with those born in wedlock.

ARTICLE 45

(1) Children and the young shall enjoy special protection and assistance in the pursuit of their rights.

(2) The State shall grant state allowances for children and benefits for the care of sick or disabled children. Other forms of social protection for children and the young shall be established by law.

(3) The exploitation of minors, their employment in activities that might be harmful to their health, or morals, or endanger their life and normal development are prohibited.

(4) Minors under the age of fifteen may not be employed for any paid labour.

(5) The public authorities are bound to contribute to secure the conditions towards the free participation of young people in the political, social, economic, cultural and sporting life of the country.

ARTICLE 46

The disabled shall enjoy special protection. The State shall ensure the promotion of a national policy of preventive care, treatment, readjustment, education, instruction and social integration of the disabled, while observing the rights and duties of their parents or legal tutors.

ARTICLE 47

(1) Citizens have the right to apply to the public authorities by petitions formulated only in the name of the signatories.

(2) Legally established organizations have the right to forward petitions, exclusively on behalf of the collective body they represent.

(3) The exercise of the right of petition shall be tax-exempted.

(4) The public authorities are bound to answer to petitions within terms and under conditions as established by law.

ARTICLE 48

(1) Any person aggrieved in his legitimate right by an administrative act or failure of a public authority to solve his application within the legal term is entitled to the acknowledgement of his right, annulment of the act and remedies for the damage.

(2) The conditions and limits on the exercise of this right shall be regulated by an organic law.

(3) The State bears patrimonial liability, according to the law, for damages caused by judicial errors in criminal cases.

ARTICLE 49

(1) The exercise of certain rights or freedoms may be restricted only by law, and only if absolutely unavoidable, as the case may be, for: the defence of national security, public order, health or morals, of the citizens' rights and freedoms; as required for conducting a criminal investigation; for the prevention of the consequences of a natural calamity or extremely grave disaster.

(2) The restriction shall be proportional to the extent of the situation that determined it and may not infringe upon the existence of the respective right or freedom.

CHAPTER III

Fundamental duties

ARTICLE 50

(1) Faithfulness towards the country is sacred.

(2) Citizens holding public offices, as well as the military, are liable for the loyal fulfilment of the obligations they are bound to, and shall, for this purpose, take the oath as requested by law.

ARTICLE 51

The observance of the Constitution, of its supremacy and of the laws is binding.

ARTICLE 52

(1) Citizens have the right and duty to defend Romania.

(2) The military service is compulsory for all Romanian male citizens aged twenty, except for the cases provided by law.

(3) To be trained in the active military service, citizens may be conscripted up to the age of thirty-five.

ARTICLE 53

(1) Citizens are under the obligation to contribute to public expenditure, by taxes and duties.

(2) The legal taxation system must ensure a fair distribution of the tax burden.

(3) Any other dues shall be prohibited, save those determined by law, under exceptional circumstances.

ARTICLE 54

Romanian citizens, aliens and stateless persons shall exercise their constitutional rights and freedoms in good faith, without any infringement of the rights and liberties of others.

CHAPTER IV

Advocate of the People

ARTICLE 55

(1) The Advocate of the People shall be appointed by the Senate, for a term of office of four years, to defend the citizens' rights and freedoms. The organization and functioning of the Advocate of the People institution shall be regulated by an organic law.

(2) The Advocate of the People may not perform any other public or private office.

ARTICLE 56

(1) The Advocate of the People shall exercise his powers *ex officio* or upon request by persons aggrieved in their rights and freedoms, within limits established by law.

(2) It is binding upon the public authorities to give the Advocate of the People the necessary support in the exercise of his powers.

ARTICLE 57

The Advocate of the People shall report before the two Parliament Chambers, annually or on request thereof. The reports may contain recommendations on legislation or measures of any other nature for the defence of the citizens' rights and freedoms.

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